



Countries Which « Value Nuclear Weapons for Their Security » Undermine Progress in Nuclear Disarmament

The OEWG Report

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On Friday, 5 August 2016, the [open-ended working group \(OEWG\)](#) to take forward nuclear disarmament negotiations met in Geneva for its third and final session. The first day gave participants the opportunity to share their general views on the Chair's [zero draft of the report](#) before going into more detail during the first collective reading of the report.

Participants in the discussion included the Community of Latin American and Caribbean States (CELAC), [Indonesia on behalf of a group of states](#), Ecuador, [Germany on behalf of a group of states](#), Norway, Canada, Chile, [Austria](#), South Africa, [Brazil](#), Guatemala, Fiji, Malaysia, Mexico, Iran, [Switzerland](#), [Ireland](#), Argentina, the [International Campaign to Abolish Nuclear Weapons](#), Costa Rica, Nigeria, Basel Peace Office, [Finland](#), Australia, Sweden, Kenya, the International Fellowship for Reconciliation, and Algeria.

Chile, [Austria](#), [Ireland](#), and Brazil appreciated the presence and contributions of civil society. [Ireland](#) also appreciated the gender balance of the meetings, both of panelists and participants, which it suggested should serve as a role model for international engagement on nuclear disarmament.

General comments

All delegations appreciated the efforts of Ambassador Thani to produce a balanced and factual report. However, it soon became clear that groupings that crystallised during the February and May discussions continue to hold diverse views about the best approach to nuclear weapons, which impacted their assessment of the report.

[Germany](#), taking the floor on behalf of the states supporting the “progressive approach” working paper, expressed concern with some of the “imbalances and inconsistencies” these states perceive in the representation of some aspects of the debate and recommendations. Germany, in this context, referred among others to paragraphs 20, 25, 27, 30, and 50. Norway too saw “imbalances and inconsistencies” as expressed by Germany.

Norway, Australia, and [Finland](#) stressed that the participation of nuclear-armed states is necessary for nuclear disarmament. On the other hand, Guatemala pointed out that these states’ continued absence from the OEWG suggests they still do not have the necessary political will for nuclear disarmament. Austria stressed that the voluntary non-participation

of the nuclear-armed states cannot be held against the value and outcome of the work of the OEWG.

[Indonesia](#), speaking on behalf of Argentina, Brazil, Costa Rica, Ecuador, Guatemala, Indonesia, Malaysia, Mexico, the Philippines, Zambia, South Africa, and Nigeria, reiterated the call to convene a conference in 2017, by the General Assembly, open to all states, international organisations, and civil society, to negotiate a legally-binding instrument to prohibit nuclear weapons, leading towards their total elimination.

Canada, in opposition to this approach, reiterated its belief that it is not yet the time for a legal prohibition and stressed that the incremental approach was the most realistic given the current environment. A ban would pose a considerable risk to the non-proliferation and security architecture, argued the Canadian delegation.

Chile pointed out, however, that the “progressive approach” alone cannot facilitate nuclear disarmament. Chile expressed concern that nuclear weapons remain the only weapon of mass destruction not categorically prohibited.

Australia again stressed the need to take into account the current geo-political situation, including considerations of national security. In that context, Austria stressed that there is no contradiction between human security and international security, nor between human security and national security, as national security aims at providing security to the population of a given country. Mexico stressed that collective security of all overrides national interests.

Fiji recalled the first hand experience of the Pacific islanders who survived massive nuclear testing in the area. For these survivors, nothing less than the complete prohibition of nuclear weapons is acceptable. It is not just a moral and legal issue, but must be a matter of conscience. A legally-binding treaty would be the ideal way to fill legal gap, argued Fiji.

Ireland underlined that a whole range of global challenges are inextricably linked with progress on nuclear disarmament, cautioning that states’ failure to make progress on the nuclear issue puts all other goals at risk.

Recommendations

[Switzerland](#) argued that based on the mandate of the OEWG resolution, the recommendations should enjoy consensus to be adopted. It also thought paragraphs 58 and 59 on legal recommendations could be more nuanced and would benefit from additions.

Germany, speaking on behalf of a group of states, suggested relabeling section V on recommendations to “issues for further consideration,” as they are not agreed upon. Moreover the recommendation in paragraph 59 would go against that contained in 58, Germany argued, as a prohibition might risk the rupture of the NPT, in the group’s perception. In connection to paragraph 59, Australia thought it important to clarify what a prohibition is, as it does not believe that a simple prohibition will facilitate the reduction of one nuclear weapon.

Guatemala, however, thought it unacceptable to replace the name of section V, as it should be in line with the mandate. Argentina believes this title reflects the debate correctly in an inclusive manner.

CELAC, Ecuador, [Austria](#), Guatemala, Brazil, Kenya, and Indonesia speaking on behalf of a group of states reiterated their call for a recommendation for the UN General Assembly to adopt mandate to negotiate an international legally-binding instrument to prohibit nuclear weapons. [Austria](#) believes the OEWG will fail in its work if states do not agree on a clear recommendation initiating such negotiations with urgency.

Malaysia reiterated that paragraph 59 reflects the readiness of the majority of states to take action. However, Australia challenged the notion of the majority of states for the recommendation on prohibition. The delegation argued that a majority was only clear from “early sessions”, not in working papers or interventions from the floor. Australia also indicated its belief that a new legal instrument would risk legal overlaps. Additionally, Australia said, the negotiations of a new treaty could pose an unnecessary burden on smaller delegations.

[Austria](#) in this context highlighted the composition of the majority that wants to start negotiations in 2017, convened by the UN General Assembly, open to all states, international organisations, and civil society organisations.

First reading of the draft

After the general exchange of views, the Chair suggested a first collective reading of the draft and invited states to share their views on particular paragraphs. This exchange continued informally in the afternoon. The discussions focused on paragraphs 18-25, 26-37, 38-40, 41-45, Annex I, and 46-50.

Apart from specific suggestions regarding the wording and arrangement of paragraphs, the discussions also focused on the relative nature of qualifications used throughout the report, i.e. ‘a number’, ‘a few’, or ‘many’. These arguments bring back memories of the debate in Main Committee I during the 2015 NPT Review Conference.

The reading of the remaining paragraphs will continue on Monday at 3 pm in room XXVI at the Palais.

Reflections

Once again states that value nuclear weapons as tools for their security—above the security of other countries or even their own citizens—are continuing to vocalise opposition to the best opportunity for progress in nuclear disarmament that we have seen in decades.

While the draft report is far from perfect, its recognition that the majority of states have called for the start of negotiations on a prohibition treaty is correct. The development of such a treaty is the appropriate response to the now widespread recognition of their humanitarian consequences. The report also notes that a treaty banning nuclear weapons is seen as “the most viable option for immediate action” and that it would greatly advance the stigmatisation of nuclear weapons. This is an accurate reflection of the OEWG discussions and it must not be changed.

The opposition to this reality is loud, but it is small. And it is based on an unrelenting commitment to maintaining the existing nuclear order, in which a handful of states hold privilege and power through the threat of massive nuclear violence.

Yet these same states are ostensibly committed to the achievement of a nuclear weapon

free world. They continuously water down their words, reducing the impact of their rhetoric, but the stated policy remains the same. They are bound to it by their adherence to the NPT. And any commitment to nuclear disarmament in fact requires support of prohibition. These states make their arguments about sequencing, but this does not hold up against scrutiny. Legally-binding, non-discriminatory, loophole-less commitments to the prohibition of nuclear weapon activities is an imperative step towards disarmament and it is this that causes them fright—for it would require actual change to their practices that have henceforth gone unchallenged in practical economic, legal, political, or social terms.

The arguments against the ban are either stale—a prohibition will support, not undermine the NPT—or becoming increasingly desperate. Australia’s suggestion that small delegations would be “overwhelmed” by negotiations of a nuclear weapon prohibition treaty does not seem to be reflected in the positions of “small delegations” themselves. Five very small Pacific Island states, for example, have submitted an extremely concrete working paper demanding that negotiations begin as soon as possible.

This first meeting of the August session was held on the eve of the anniversary of the US atomic bombing of Hiroshima. The Austrian delegation paid homage to this infamous anniversary, highlighting the statement of Foreign Minister Sebastian Kurz, arguing that the on this 71st anniversary of the first use of nuclear weapons states must work to achieve the prohibition and elimination of nuclear weapons.

The majority has made its view clear. The rest of this session must be spent ensuring that this view is carried forward to action at the UN General Assembly this October.

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